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9/18/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Stamm et al**

Application No.: **NOT YET ASSIGNED**

Filed: **July 6, 2001**

For: **FENOFIBRATE PHARMACEUTICAL COMPOSITION HAVING HIGH BIOAVAILABILITY AND METHOD FOR PREPARING IT**

Attorney Docket No: 107664.115US3

Assistant Commissioner of Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Prior to consideration of the above application on the merits, please enter the following preliminary amendment, without prejudice.

IN THE CLAIMS:

Please cancel claims 1-34 without prejudice, and add new claims 35-56. A clean copy of the pending claims is set forth in Appendix 1. A marked-up copy of the claims showing the amendments is set forth in Appendix 2.

IN THE SPECIFICATION:

Please amend the specification at pages 1 and 23. A clean copy of the amended paragraphs at pages 1 and 23 is set forth in Appendix 3, and a marked-up copy showing the changes to the specification at pages 1 and 23 is set forth in Appendix 4.

Remarks

After entry of the amendment, claims 35-56 are pending in the application.

The specification has been amended to refer to the related applications and to amend the Abstract of the Disclosure. Added claims 35-56 are supported throughout

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